

CHOCOLATE, SUGAR, AND RELATED PRODUCTS**CANDY**

11549. Adulteration of candy. U. S. v. Alonzo B. Cowan (W. J. N. Candy Co.).
Plea of nolo contendere. Fine of \$100 on count 1; suspended sentence
on counts 2 and 3. (F. D. C. No. 20976. Sample Nos. 39929-H to 39931-H,
incl.)

INFORMATION FILED: January 23, 1947, Northern District of Texas, against Alonzo B. Cowan, doing business as the W. J. N. Candy Co., Dallas, Tex.

ALLEGED SHIPMENT: On or about June 21 and July 19, 1946, from the State of Texas into the State of Arkansas.

LABEL, IN PART: "Oh My Goodness! Chocolate Nut Bar," "Old Fashion Mexican Pralines," or "The Original California Fruit Bar."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of rodent-gnawed candy, live insect infestation, rodent excreta, insect excreta, insect eggs, rodent hair, insect larvae, and feather barbules; and, Section 402 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: January 31, 1947. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$100 on count 1. Imposition of sentence on counts 2 and 3 was suspended.

11550. Adulteration of candy. U. S. v. Harvey A. Melster (Melster Candy Co.).
Plea of guilty. Fine, \$500. (F. D. C. No. 20948. Sample Nos. 35742-H,
35743-H, 52565-H, 52566-H.)

INFORMATION FILED: October 15, 1946, Western District of Wisconsin, against Harvey A. Melster, trading as the Melster Candy Co., Cambridge, Wis.

ALLEGED SHIPMENT: On or about May 16 and 22, 1946, from the State of Wisconsin into the States of Arkansas and Kentucky.

LABEL, IN PART: "Melster's * * * Ripley Log," or "Melster's Swiss Lunch."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent hair fragments and insect fragments; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 29, 1946. The defendant having entered a plea of guilty, the court imposed a fine of \$250 on each of the 2 counts.

11551. Adulteration of candy. U. S. v. J. Schwartz & Sons, a partnership, Jacob Schwartz, and Victor Schwartz. Pleas of nolo contendere. Fines, \$10
against the partnership, \$10 against Victor Schwartz, and \$300 against
Jacob Schwartz. (F. D. C. No. 20942. Sample Nos. 3185-H, 3186-H, 3591-H,
3593-H, 3595-H, 5311-H.)

INFORMATION FILED: December 5, 1946, Eastern District of Pennsylvania, against J. Schwartz & Sons, Philadelphia, Pa., and Jacob Schwartz and Victor Schwartz, partners.

ALLEGED SHIPMENT: Between the approximate dates of January 21 and February 1, 1946, from the State of Pennsylvania into the District of Columbia and the States of Maryland and New Jersey.

LABEL, IN PART: "Schwartz's American Chewing Candy," or "Peanut Brittle Bars."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of insect fragments, mites, rodent hair fragments, and feather fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: March 14, 1947. The defendants having entered pleas of nolo contendere, the court imposed a fine of \$300 against the defendant, Jacob Schwartz, \$10 against the defendant, Victor Schwartz, and \$10 against the partnership.

11552. Adulteration of candy. U. S. v. John W. Stewart Co., Inc., and Walter L. Abbot. Pleas of guilty. Fine of \$50 against each defendant. (F. D. C. No. 20919. Sample Nos. 56763-H to 56767-H, incl.)

INFORMATION FILED: December 4, 1946, District of Massachusetts, against the John W. Stewart Co., Inc., Salem, Mass., and Walter L. Abbot, president.

ALLEGED SHIPMENT: On or about February 11, 1946, from the State of Massachusetts into the State of Maine.

LABEL, IN PART: "Peppermints [or "Italian Creams," "Nougatine," "Nut Mal-lows," or "Molasses Seabreeze Kisses"] Salem's Old-fashioned Candies."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of fragments of rodent hairs; and, Section 402 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: February 4, 1947. Pleas of guilty having been entered on behalf of the defendants, the court imposed a fine of \$50 against each defendant.

11553. Adulteration of candy. U. S. v. Lunsford Candy Co. Plea of nolo contendere. Fine, \$200. (F. D. C. No. 20965. Sample Nos. 44567-H, 49221-H.)

INFORMATION FILED: January 23, 1947, Northern District of Texas, against the Lunsford Candy Co., a corporation, Dallas, Tex.

ALLEGED SHIPMENT: On or about March 8 and 11, 1946, from the State of Texas into the States of California and Louisiana.

LABEL, IN PART: (Boxes) "Almonut Roll * * * [or "Ko-Ko Creme Cocoanut Flavored Fudge"] * * * Dal-Tex Candy Co., Dallas Tex."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent skin, rodent hairs, insect larvae, and insect fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 29, 1947. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$200.

11554. Adulteration of candy. U. S. v. 51 Boxes * * *. (F. D. C. No. 20892. Sample No. 53434-H.)

LIBEL FILED: September 16, 1946, Southern District of Ohio.

ALLEGED SHIPMENT: On or about July 26, 1946, by the Leonard Sales Co., from Pittsburgh, Pa.

PRODUCT: 51 boxes each containing 24 candy bars at Cincinnati, Ohio.

LABEL, IN PART: "Fruit and Nut Bar."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae and insect fragments.

DISPOSITION: October 17, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11555. Adulteration of peanut crunch. U. S. v. 89 Cases * * *. (F. D. C. No. 20886. Sample No. 48163-H.)

LIBEL FILED: September 18, 1946, District of Utah.

ALLEGED SHIPMENT: On or about March 30, 1946, by Bennett and Crews, from Waco, Tex.

PRODUCT: 89 30-pound cases of peanut crunch at Ogden, Utah.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae and webbing.

DISPOSITION: November 9, 1946. No claimant having appeared, judgment was entered ordering that the product be destroyed.

11556. Adulteration of stick candy. U. S. v. 117 Boxes, etc. (F. D. C. Nos. 20843, 20844. Sample Nos. 56271-H, 56272-H.)

LIBELS FILED: On or about September 11, 1946, Western District of Missouri.

ALLEGED SHIPMENT: On or about August 16, 1946, by the Carmelita Candy Co., from Oklahoma City, Okla.

PRODUCT: 564 boxes, each containing 36 sticks, of candy at Kansas City, Mo.